

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: MCCLURKEN Examiner: R. Rollins
Serial No.: 10/773,503 Group Art Unit: 3739
Filed: February 6, 2004 Docket No.: 13045.20USC1
Confirmation No.: 6627
Title: ELECTROSURGICAL DEVICE HAVING A TISSUE REDUCTION
SENSOR

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In a Restriction Requirement mailed June 30, 2006, the Examiner indicated that the application contains three patentably distinct species:

Species I: Figures 1-5;

Species II: Figures 6-9; and

Species III: Figure 10.

Election is made, without traverse, to prosecute, at this time, Species I. Claims that read on Species I are 37-51 and 53-65. Upon allowance of a generic claim (e.g., claim 37), the unselected claims which depend from or otherwise require all the limitations of the allowed generic claim are entitled to consideration.

The Patent Office is invited to contact Applicants' primary attorney-of-record, Mara E. DeBoe (Reg. No. 40,066), at (612) 371.5222, if there are any questions.

Respectfully Submitted,
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Date: July 7, 2006

By


Mara E. DeBoe
Reg. No. 40,066

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TO:

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450	FROM: Mara E. DeBoe OUR REF: 13045.20USC1 TELEPHONE: 612.371.5222
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Title of Document Transmitted: Response to Restriction Requirement

Applicant: McClurken

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Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725.
Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

By: Mara E. DeBoe
Name: Mara E. DeBoe
Reg. No.: 40,066